



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshimi TOMITA

Application No.: 09/985,838

Filed: November 6, 2001

For: MULTI-LAYERED DISC AND
MULTI-LAYERED DISC
REPRODUCING APPARATUS

Confirmation No.: 4404

Group Art Unit: 2655

Examiner: J. Ortiz

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6-17-04
OK*

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Sir:

RESPONSE TO AN ELECTION/RESTRICTION REQUIREMENT

In an Election/Restriction Requirement dated May 3, 2004 (Paper No. 3), the Examiner required election under 35 U.S.C. §121 between the claims of Species I drawn to Fig. 1 and Species II drawn to Figs. 6 and 7. Applicant hereby elects Species II (Figs. 6 and 7) for examination and respectfully requests formal examination of this application. It is respectfully submitted that claims 1, 3, 5, 7, 9, 11, and 13 are readable upon the elected species.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS, LLP

Dated: June 1, 2004

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